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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 MAURICIO RIVAS,

9 Petitioner,

10 v.

11 METRO POLICE, et al.,

12 Respondents.  
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Case No.: 2:19-cv-00341-RFB-GWF

**Order**

14 Mauricio Rivas has submitted an incomplete application to proceed in forma pauperis (ECF  
15 Nos. 1, 2). He has also failed to file a habeas corpus petition or any other pleading. Thus, this  
16 action is dismissed as improperly commenced.

17 The court notes that it is unclear what type of action Rivas intended to pursue. At the top  
18 of a handwritten page that he filed as part of his application to proceed in forma pauperis, he refers  
19 to 42 U.S.C. § 1983 (which would implicate his conditions of confinement); 28 U.S.C. § 2254  
20 (which would involve a claim that he is in custody pursuant to a state-court judgment of conviction  
21 in violation of his federal constitutional rights); and 28 U.S.C. § 2255 (which would involve a  
22 challenge to a federal judgment of conviction); as well as the general habeas statute 28  
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1 U.S.C. § 2241 (*see* ECF No. 2). In any event, this action is improperly commenced and is  
2 dismissed.

3 **IT IS THEREFORE ORDERED** that this action is **DISMISSED** as set forth in this  
4 order.

5 **IT IS FURTHER ORDERED** that petitioner's incomplete applications to proceed in  
6 forma pauperis (ECF Nos. 1 and 2) are both **DENIED**.

7 **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

8 **IT IS FURTHER ORDERED** that the Clerk shall **ENTER JUDGMENT** accordingly  
9 and close this case.

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11 DATED: April 3, 2019.



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13 RICHARD F. BOULWARE, II  
14 UNITED STATES DISTRICT JUDGE  
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